**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**
**CIVIL APPLICATION NO.5210 OF 2007**
**IN**
**FIRST APPEAL NO.600 OF 1999**

Vateshwardev and Satvaidevi Trust & Ors. ...Applicants

vs.

Govind Daji Lokare (Patil)
(since deceased through L.Rs.) ...Respondents

Mr.T.S.Ingale for the Applicants
Mr.Bhushan Walimbe for the Respondent No.1F.

**CORAM: A.S.OKA,J.**
**DATE : NOVEMBER 27,2007.**

**P.C.:**

1. Heard Advocates for the parties. The prayer made in this Application filed by the Respondents in the Appeal is for vacating interim order dated 6th December 1999 passed in the Civil Application No.5039 of 1999. By the said order, ad-interim relief was granted in favour of the appellants and the Appellants were directed to deposit a sum of Rs.10,000/- per year in the trial court.

2. In this application it is contended that from the year 2001 onwards, the amount is not deposited by the original appellants in terms of the aforesaid order.

3. If the allegation made in this application is true, this will be a case for vacating interim relief. However, one opportunity deserves to be granted to the Appellants in the

Appeal to comply with the condition of deposit. Hence, the application is disposed of by passing the following order :

. "The appellants shall deposit the arrears, if any, up to the end of the year 2007 as per the order dated 6th December 1999 with the trial court within a period of two months from today. If the entire arrears are not deposited within stipulated period of two months, interim relief granted by order dated 6th December 1999 in the Civil Application No.5039 of 1999 will stand automatically vacated. If compliance is made within the stipulated time, the interim order will stand. Hearing of the Appeal is expedited. It will be open for the Applicants to file private paper book".

**JUDGE**